

**Notice of Allowability**

Application No.

10/665,804

Examiner

Amanda H. Merlino

Applicant(s)

PERLIN, KENNETH

Art Unit

2877

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to rice filed 9/6/06.
2. ☒ The allowed claim(s) is/are 1-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

***Reasons for Allowance***

Claims 1-34 allowed.

As to claims 1 -12, 26-28, and 31, the prior of record, taken alone or in combination, fails to disclose or render obvious an apparatus for determining one or more values of a bidirectional reflectance distribution function comprising a means for focusing the light between the sensing means and the subject and a computer connected to the sensing means for measuring one or more values of the bidirectional reflectance distribution function of a plurality of locations of the subject simultaneously from the light sensed by the sensing means, in combination with the rest of the limitations of claim 1.

As to claims 13-19, the prior of record, taken alone or in combination, fails to disclose or render obvious a method for determining one or more values of a bidirectional reflectance distribution function of a subject comprising the steps of placing an optically hollow structure adjacent to the subject, reflecting the light at various angles from the subject, and measuring the bidirectional distribution function of a plurality of locations of the subject simultaneously from the reflected light, in combination with the rest of the limitations of claim 19.

As to claims 20, 24-25 and 34, the prior of record, taken alone or in combination, fails to disclose or render obvious an apparatus for determining one or more values of a bidirectional reflectance distribution function comprising a means for focusing the light between the sensing means and the subject and a computer connected to the sensing means for measuring one or more values of the bidirectional reflectance distribution

function of a plurality of locations of the subject simultaneously from the light sensed by the sensing means, in combination with the rest of the limitations of claim 20.

As to claims 21-23 and 33 the prior of record, taken alone or in combination, fails to disclose or render obvious an apparatus for determining one or more values of a bidirectional reflectance distribution function comprising a means for taking sub-measurements of the subject with light from the light source without any physical movement between sub-measurements and a computer connected to the taking means for measuring one or more values of the bidirectional reflectance distribution function of a plurality of locations of the subject simultaneously from the light sensed by the sensing means, in combination with the rest of the limitations of claim 21.

As to claims 29, 30, and 32, the prior of record, taken alone or in combination, fails to disclose or render obvious an apparatus for determining one or more values of a bidirectional reflectance distribution function comprising a reflector consisting of a plurality of light reflecting means and a processor connected to the sensor for measuring one or more values of the bidirectional reflectance distribution function of a plurality of locations of the subject simultaneously based at least in part on light sensed by the sensor in combination with the rest of the limitations of claim 29.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Drawings***


New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because it appears that some of the figures are handwritten. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

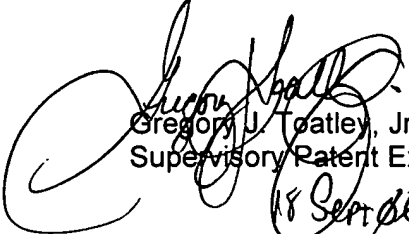
### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amanda H Merlino whose telephone number is 571-272-2421. The examiner can normally be reached on Monday and Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J Toatley, Jr. can be reached on 571-272-2800 ext 77. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Amanda H Merlino   
Patent Examiner  
Art Unit 2877  
September 14, 2006

  
Gregory J Toatley, Jr.  
Supervisory Patent Examiner  
18 Sept 06